

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

COLTON JAMES SPATZ,

Plaintiff,

vs.

CASCADE COUNTY, CASCADE  
COUNTY DETENTION CENTER,  
SHERIFF BOB EDWARDS,  
COMMANDER DAN O'FALLEN,  
C/Os BENNETT, LIGHT, VANZOUT,  
TIBBETTS, GAMEON, WALTERS,  
and GRUNEWALD, and MEDICAL  
STAFF,

Defendants.

CV-18-12-GF-BMM

**ORDER**

United States Magistrate Judge John Johnston issued an Order on April 17, 2018, directing Plaintiff Colton Spatz (Spatz) to update his address within 60 days in compliance with Local Rule 5.2. (Doc. 9). Spatz did not file a Notice of Change Address or otherwise respond to the Court's Order.

Judge Johnston entered Findings and Recommendations in this matter on July 18, 2018. (Doc. 12). Judge Johnston recommended that this case be dismissed given that Spatz had failed to comply with the Court's Order of April 17, 2018. (Doc. 12 at 4). Spatz did not file objections to Judge Johnston's Findings and Recommendations.

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full. Dismissal of this action is appropriate given Spatz's failure to inform the Court of his current mailing address as required under the Court's Order of April 17, 2018, and Local Rule 5.2.

Accordingly, IT IS ORDERED:

1. Spatz's Complaint (Doc. 2) is DISMISSED without prejudice for failure to keep the Court informed of his current mailing address.
2. Any appeal from this disposition would not be taken in good faith as the record is clear that Spatz has failed to keep the Court informed of his current mailing address. Fed. R. App. P. 24(a)(3)(A).
3. The Clerk is directed to enter judgment accordingly.

DATED this 15th day of August, 2018.



Brian Morris  
United States District Court Judge